

HOUSE No. 2821

By Mr. Walsh of Boston, petition of Martin J. Walsh and others relative to granting creditable service for retirement purposes for part-time faculty of institutions of higher education. Public Service.

The Commonwealth of Massachusetts

PETITION OF:

Martin J. Walsh
Mark C. Montigny
Peter V. Kocot

Willie Mae Allen
Martha M. Walz
Steven J. D'Amico

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO VESTING AND ACCUMULATING CREDITABLE SERVICE IN THE STATE RETIREMENT SYSTEM FOR PART TIME FACULTY TEACHING IN THE COMMONWEALTH'S INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3(2)(d) of Chapter 32, as appearing in the
2 2004 Official Edition, is amended by adding the following new
3 paragraph:

4 For purposes of this section and notwithstanding the provisions of
5 this chapter or any other general or special law, rule or regulation to
6 the contrary, any faculty who teach the equivalent of at least two
7 three credit courses per semester or four three or more- credit
8 courses per calendar year at one or more state higher education insti-
9 tution, including a division of continuing education, regardless of
10 funding source, including but not limited to subsidiary account CC,
11 shall be considered an employee eligible for membership in the state
12 employees retirement system and shall earn creditable service for
13 such time.

1 SECTION 2. Section 4(2)(b) of Chapter 32, as appearing in the
2 2004 Official Edition, is amended by inserting the following in
3 line 382 after the word "membership,":

4 provided, that in the case of any faculty employed at one or more
5 state higher education institution, the Board shall credit as at least

6 one-half year of service, actual service teaching the equivalent of at
7 least four three- credit courses per calendar year,

1 SECTION 3. Section 4(2)(c) of Chapter 32, as appearing in the
2 2004 Official Edition, is amended by adding the following
3 paragraph:

4 For faculty employed at one or more state higher education insti-
5 tution, the Board, in accordance with the provisions of this section,
6 shall allow credit for any previous period of service equivalent to
7 teaching at least four three- credit courses per calendar year at one or
8 more state higher education institution, including a division of
9 continuing education, regardless of funding source, including but not
10 limited to subsidiary account CC.

1 SECTION 4. Section 1 of Chapter 32, as appearing in the 2004
2 Official Edition, is amended by inserting the following sentence in
3 line 425 after the word “fund”:

4 In the case of part-time faculty employed at one or more state
5 higher education institution, the full salary and wages received for
6 teaching credit courses at one or more state higher education institu-
7 tion, including a division of continuing education, regardless of
8 funding source, including but not limited to subsidiary account CC,
9 shall be regarded as regular compensation and shall be included in
10 the salary on which deductions are to be paid to the annuity savings
11 fund.

1 SECTION 5. Section 5(1)(m) of Chapter 32, as appearing in the
2 2004 Official Edition, is amended by adding the following
3 paragraph:

4 However, notwithstanding any provision of this chapter to the
5 contrary, any part-time faculty employed at one or more state higher
6 education institution, whose employment first commenced on or
7 after January first, nineteen hundred and seventy-eight, and who has
8 not completed five or more years of creditable service before the ter-
9 mination of his employment, shall on the termination of his employ-
10 ment be entitled to a return of his accumulated deductions. Such
11 return of said accumulated deductions shall be in lieu of any super-
12 annuation retirement allowance provided under this chapter.